

REMARKS

The Examiner stated that a new title of the invention is required.

The applicant disagrees. Applicant's title does not exceed 500 characters in length and is as short and specific as possible. This complies with 37 C.F.R. §1.72(a). Accordingly, the Examiner's requirement should be withdrawn.

The Examiner rejected claims 7, 11, and 12 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that applicant regards as the invention.

Applicant has amended claims 7, 11, and 12 so as to particularly point out and distinctly claim the subject matter that applicant regards as the invention. No new matter was added.

The Examiner uses Shrader and Fitzgerald to reject claims 1-12 as having been obvious.

The applicant submits that Shrader and Fitzgerald fail to disclose or suggest the invention as claimed, for example, the feature of claim 1 that recites "opening a change ticket that includes a change plan having instructions about how a change is to be performed."

The Examiner argues that "creating a change of plan" is shown in Shrader in the abstract and at cols. 2 and 9. On the contrary, Shrader teaches committing an installation plan object for installing applications in a network (see title and abstract). The installation plan object of Shrader is NOT the change ticket of claim 1. Shrader teaches an architecture for validating a proposed plan for installing software before the proposed plan is executed by the network administrator on the network. More specifically, Shrader teaches:

The installation plan object includes an application-in-plan object which represents an application program and a group-in-plan object which represents a group of work stations on which the application program is to be installed.

(col. 2, lines 43-47). This is different from a change ticket. As discussed in applicant's specification, "the change author (201) places information for carrying out the change on a change ticket. This includes creating a change plan and other desired information (103). A change plan is a set of instructions, however minimal, which will provide future entities examining the change plan with a sufficient idea to know how to carry out the change. The

change ticket is then associated with a particular change category corresponding to the type of change that is described in the change plan (104). It is then determined how much scheduling overhead is appropriate for a change in this category.” (see page 8, lines 18-23). Accordingly, claim 1 is not rendered obvious by Shrader.

Fitzgerald does not make up for this deficiency in Shrader. Fitzgerald merely teaches automated central management of resources contained on computers connected to the network. Fitzgerald uses dynamic linkage substitution to accommodate desktop platform changes. More specifically, Fitzgerald teaches:

A system in accordance with the present invention determines the resource needs of individual distributed computers based upon a Should Have (SH) list (or object) Schema. The SH list Schema is used to produce SH lists for individual distributed computers. Individual Already Have (AH) lists can be stored or can be produced at configuration time for individual distributed computers. A novel differencing process is used to locate differences between SH lists (or objects) and AH lists (or objects) for the individual distributed computers. The differences between SH list and AH lists for the individual distributed computers are used to determine what items must be compared in order to update individual desktops.

(col. 7, lines 52-65). This is different from applicant's change ticket. Fitzgerald's SH scheme and AH lists do not render applicant's quoted claim feature obvious.

Assuming arguendo, that there is a suggestion to combine Shrader and Fitzgerald, the combination would only lead to SH and AH lists in conjunction with an installation plan object. The combination still fails to teach or suggest “opening a change ticket that includes a change plan having instructions about how a change is to be performed.” Accordingly, the cited references do not anticipate or render obvious claim 1.

Independent claim 8 (“a change ticket comprising”), 10 (“authorizing a change ticket”) and 12 (“generating a change ticket”) are not anticipated or rendered obvious by Shrader and Fitzgerald for at least the reasons stated with respect to claim 1.

All of the dependent claims are patentable for at least the same reasons as claims on which they depend.

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Applicants' discussion of particular arguments of the Examiner should not be construed as a concession by applicants with respect to any other positions of the Examiner. Applicants' assertion of arguments of patentability for certain claims should not be construed as suggesting that there are not also other good reasons why those or other claims are patentable.

Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

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